

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

In the Matter of the Petition of New )  
Penn Mines, Inc., to Review Action by )  
the California Regional Water Quality )  
Control Board, Central Valley Region )

Order No. 73-3

On January 2, 1973, New Penn Mines, Inc., hereinafter referred to as the petitioner, submitted a petition to the State Water Resources Control Board, hereinafter referred to as the State Board, requesting review of Order No. 73-128 of the California Regional Water Quality Control Board, Central Valley Region. The petition filed requests the State Board to stay the effect of Order No. 73-128 pending disposition of the petition.

The State Board finds that:

1. The petition raises issues appropriate for review.
2. The petitioner does not allege or establish either substantial harm to the petitioner or to the public interest if a stay is not granted, nor lack of substantial harm to other interested persons or to the public interest if the stay is granted.

THEREFORE IT IS ORDERED that (1) issues raised by the petition be reviewed and (2) the stay of said Order No. 73-128 requested by the petitioner is denied.

Adopted as the order of the State Water Resources Control Board at a meeting duly called and held at Sacramento, California.

Dated: February 1, 1973

*W W Adams*

W. W. Adams, Chairman

*Ronald B. Robie*

Ronald B. Robie, Vice Chairman

*E. F. Dibble*

E. F. Dibble, Member

*Roy E. Dodson*

Roy E. Dodson, Member

**ABSENT**

Mrs. Carl H. (Jean) Auer, Member